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6 UNITED STATES DISTRICT COURT

7 FOR THE WESTERN DISTRICT OF WASHINGTON

8 PAUL SCOTT, an individual,

9 Plaintiff,

10 v.

11 CALEB CARR, individually; and VITA  
12 INCLINATA TECHNOLOGIES  
13 INC., a Delaware Corporation, as a nominal  
Defendant,

14 Defendants.

Case No. 2:20-cv-00236-RSM

**STIPULATED MOTION AND ORDER  
FOR EXTENSION OF CASE  
SCHEDULE DEADLINES**

**The Honorable Ricardo S. Martinez  
NO ORAL ARGUMENT REQUESTED  
Hearing Date: October 6, 2021**

15  
16 WHEREAS, on April 7, 2020, the Court issued an Order Setting Trial Date and Related  
17 Dates (Dkt. 27);

18 WHEREAS, in Part B of the parties Joint Status Report and Discovery Plan, the parties  
19 jointly represented to the Court their perceived difficulties in their scheduling needs due to the  
20 unprecedeted effects of the COVID-19 pandemic and their commitment to work cooperatively  
21 with one another to accommodate each other during these unprecedeted times (Dkt. 24);

22 WHEREAS, on September 14, 2020, the Court entered a Stipulated Motion and Order  
23 for Extension of Certain Deadlines (Dkt. 45);

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25 ///

**STIPULATED MOTION AND ORDER FOR EXTENSION OF CASE  
SCHEDULE DEADLINES - 1  
CASE NO. 2:20-CV-00236-RSM**

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One Convention Place  
Suite 1400  
701 Pike Street  
Seattle, Washington 98101-3927  
(206) 292-9988

1 WHEREAS, on January 4, 2021, the Court entered a Stipulated Motion and Order for  
 2 Extension of Certain Deadlines that continued the jury trial date to October 12, 2021, or as  
 3 soonest thereafter as the Court permits (Dkt. 49);

4 WHEREAS, on March 19, 2021, the Court entered a Stipulated Motion and Order for  
 5 Extension of Certain Deadlines that reset the discovery deadline in this matter to July 29, 2021,  
 6 (Dkt. 51);

7 WHEREAS, on July 21, 2021, the parties submitted a stipulated motion for an extension  
 8 of the case schedule entered in this matter, with deadlines to be determined after the Court entered  
 9 Orders resolving the parties' respective non-expert discovery motions which were then fully  
 10 briefed and pending before this Court (i.e., Defendants' Motion to Compel (Dkt. 51), Defendants'  
 11 Motion for Protective Order (Dkt. 55), and Plaintiff's Motion to Compel (Dkt. 57));

12 WHEREAS, on July 22, 2021, the Court entered a Stipulated Motion and Order for  
 13 Extension of Certain Deadlines that reset the deadlines in this matter as "To Be Determined" and  
 14 contingent upon the date the Court entered Orders resolving the non-expert discovery motions  
 15 above (Dkt. 85);

16 WHEREAS, on August, 26, 2021, the Court entered an Order re: Motions To Compel  
 17 and Granting Defendants' Motion For Protective Order (Dkt. 86) and, therefore, the parties are  
 18 now prepared to set deadlines which were previously struck and left "To Be Determined."

19 IT IS HEREBY STIPULATED AND AGREED by and through the undersigned counsel  
 20 for Plaintiff and Defendants, in accordance with LCR 7(d)(1) and 10(g), subject to the approval  
 21 of the Court, that the following deadlines in the case shall be modified as set forth below.

Event Title	Current Deadline	Proposed Amended Deadline
<b>JURY TRIAL DATE</b>	<b>October 12, 2021</b>	<b>April 11, 2022</b>
Non-expert, fact discovery completed. All Motions Related to non-expert Discovery must be filed by (see LCR 7(d))	April 30, 2021	April 30, 2021

**STIPULATED MOTION AND ORDER FOR EXTENSION OF CASE  
 SCHEDULE DEADLINES - 2  
 CASE NO. 2:20-CV-00236-RSM**

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Event Title	Current Deadline	Proposed Amended Deadline
Disclosure of Expert Testimony pursuant FRCP 26(a)(2) must be served by:	June 3, 2021	June 3, 2021
Discovery Completed by:	July 29, 2021	October 25, 2021
All dispositive motions must be filed by and noted on the motion calendar no later than the fourth Friday thereafter (see LCR 7(d)):	August 5, 2021	November 24, 2021
Mediation per LCR 39.1(c)(3), if requested by the parties, held no later than:	August 17, 2021	November 30, 2021
All motions in limine must be filed by and noted on the motion calendar no later than the THIRD Friday thereafter:	September 7, 2021	February 10, 2022
Agreed pretrial order due:	September 20, 2021	March 11, 2022
Pretrial conference to be scheduled by the Court:	TBD	TBD
Trial briefs, proposed voir dire questions, jury instructions, neutral statement of the case, and trial exhibits due:	September 27, 2021	March 28, 2022

19 IT IS SO STIPULATED.

20 DATED this 6th day of October 2021.

21 BETTS, PATTERSON & MINES, P.S.

TOMLINSON BOMSZTYK RUSS

23 By: /s/ Cruz H. Turcott

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 Attorneys for Defendants

23 By: /s/Abigail Staggers

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 Attorneys for Plaintiff

24 STIPULATED MOTION AND ORDER FOR EXTENSION OF CASE  
 SCHEDULE DEADLINES - 3  
 CASE NO. 2:20-CV-00236-RSM

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## ORDER

Based on the foregoing, IT IS SO ORDERED.

DATED this 7<sup>th</sup> day of October, 2021.



**RICARDO S. MARTINEZ**  
**CHIEF UNITED STATES DISTRICT JUDGE**

Presented by:  
BETTS, PATTERSON & MINES, P.S.

By: s/ Cruz H. Turcott  
Cruz H. Turcott, WSBA No. 57532  
Attorneys for Defendants

## TOMLINSON BOMSZTYK RUSS

By: *s/ Abigail Staggers*  
Abigail Z. Staggers, WSBA No. 43962  
Attorneys for Plaintiff

**STIPULATED MOTION AND ORDER FOR EXTENSION OF CASE  
SCHEDULE DEADLINES - 4  
CASE NO. 2:20-CV-00236-RSM**

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## **CERTIFICATE OF SERVICE**

I hereby certify that on October 6, 2021, the foregoing was electronically filed with the United States District Court for the Western District of Washington through the E-Filing system: **STIPULATED MOTION AND ORDER FOR EXTENSION OF CASE SCHEDULE DEADLINES.**

I further certify that on October 6, 2021, I served a copy of the foregoing on:

Blair M. Russ  
Abigail Z. Staggers  
Tomlinson Bomsztyk Russ  
1000 Second Avenue, Suite 3660  
Seattle, WA 98104  
Fax: 206-621-9907  
Email: [bmr@tbr-law.com](mailto:bmr@tbr-law.com)  
[azs@tbr-law.com](mailto:azs@tbr-law.com)  
*Of Attorney for Plaintiff*

by mailing to each of the foregoing a copy thereof, placed in a sealed envelope addressed as listed above and deposited in the United States mail at Portland, Oregon, and that postage thereon was fully prepaid.

by facsimile transmission to the number shown above.

by additional e-service through the E-Filing system, if party was registered.

by courtesy email to the email addresses shown above.

*/s/ Carrie J. Cook*

Carrie J. Cook, CP  
Legal Assistant/Certified Paralegal

**STIPULATED MOTION AND ORDER FOR EXTENSION OF CASE  
SCHEDULE DEADLINES - 5  
CASE NO. 2:20-CV-00236-RSM**

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